

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION**

Civil Application No.48 of 2007

in

Writ Petition No. 3817 of 2004

D.R. Mhatre

..Petitioner.

vs

Union of India and ors

..Respondents

Mr.S.D. Gulhane for the petitioner.

Mrs Masukar for respondents.

**CORAM: H.L.GOKHALE, Acg C.J. ,
& V.M.KANADE, J.****DATE: JANUARY 16, 2007.****P.C.:-**

Heard Ms Lobo, learned counsel in support of the application and Ms Masurkar for respondents. The petitioner has been terminated from service. That order was upheld by the Central Administrative Tribunal. The decision of the tribunal is under challenge in Writ Petition No.3817 of 2004, which has been admitted. This civil application has been taken out that regular vacancy in Gramin Dak Sevak should not be filled in so that the petitioner could be accommodated as and when he succeeds. Surely such an interim relief cannot be granted. Petitioner will of course get job and back wages if he succeeds in the main matter.

Civil Application is rejected.

ACTING CHIEF JUSTICE

V.M.KANADE J.